



Limited Reopening of the Comment Period on EPA's Administrative Determination that Ferric Ferrocyanide is a Toxic Pollutant under Section 307(a) of the Clean Water Act

Summary

EPA is having a limited reopening of the comment period on its administrative determination that ferric ferrocyanide (FFC) is a toxic pollutant under Section 307(a) of the Clean Water Act (CWA).

Background

On January 25, 2001, EPA published a notice announcing availability of their preliminary administrative determination that ferric ferrocyanide (FFC) falls in the toxic pollutant list category "cyanides" (66 FR 7759). This determination was made in partial fulfillment of a request by the U.S. Court of Appeals that EPA make an "appropriate administrative determination" regarding that subject in order to resolve a CERCLA action against Blackstone Valley Electric (BVE).

On March 1, 2001, Narragansett Electric Company ("Narragansett"; BVE's corporate successor) submitted a request for Agency records under the Freedom of Information Act (FOIA) relating to the preliminary administrative determination and records concerning the interpretation of the term "cyanides." As a result of this FOIA request, EPA released approximately 180 records to Narragansett. These records include scientific articles, reports, legal briefs and memoranda pertaining to the development of the Toxic Pollutant List and effluent guidelines. EPA also has gathered recently published scientific articles independent of the FOIA request that may impact the final determination.

administrative determination regarding FFC. EPA will only consider comments that relate to the newly released records. These records have been placed in the docket for access by the public.

Additional Information and Copies

For further information concerning this administrative determination, please contact Maria Gomez-Taylor, USEPA, Engineering and Analysis Division (4303T), Office of Science and Technology, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20460; or call (202) 566-1005; or fax (202) 566-1053 or e-mail gomez-taylor.maria@epa.gov.

Limited Reopening of the Comment Period

EPA is requesting comments on whether any of the records or materials provide additional information that is relevant to the final determination on whether FFC is one of the "cyanides" within the list of toxic pollutants promulgated under section 307(a) of the Clean Water Act, and if so, whether and how such record or records should affect EPA's final